

# Review of Development Control and Planning Enforcement – Isle of Anglesey County Council

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# Summary report

## Summary

### What we reviewed and why

- 1 As part of the Auditor General's work programme for 2022-23 we reviewed the development control and planning enforcement service at the Isle of Anglesey County Council (the Council).<sup>1</sup>
- 2 Planning services affect everyone. They make a major contribution to supporting the development of new homes, conserving natural assets, creating employment opportunities, driving regeneration and economic development, and improving local infrastructure. The decisions taken by local planning authorities therefore directly impact on our communities – shaping our wellbeing and quality of life, both now and in the future. Conversely, poorly performing planning services can significantly undermine how places look and feel.
- 3 Planning services in Anglesey have endured a challenging few years. Performance against key metrics relating to the timeliness and quality of planning decisions reflected a service under pressure. And planning enforcement – a key function to uphold the integrity of the planning system – was struggling to cope.
- 4 The purpose of this review was to assess how the Council is addressing the performance and resilience challenges in its development control and planning enforcement service.
- 5 The background to this review is twofold:
  - firstly, in 2019 we published a national report on the planning system in Wales.<sup>2</sup> The national review focused on all aspects of local planning authorities and assessed progress in implementing the Planning (Wales) Act 2014 Act (the Act). Overall, it highlighted a planning system that was struggling to deliver against the ambitions of the Act and to implement national policy.<sup>3</sup> Specifically in terms of development control, we found that capacity was stretched, planning authorities were struggling to deliver key functions, and there was limited progress on improving resilience. The report made several recommendations aimed at addressing these weaknesses.
  - secondly, the Council undertook an internal review of its planning service between July-September 2019 in response to poor performance across a

<sup>1</sup> Development control is the planning function concerned with determining whether planning applications are approved. Planning enforcement deals with breaches of planning control.

<sup>2</sup> [The effectiveness of local planning authorities in Wales, Auditor General for Wales, 2019](#)

<sup>3</sup> [Planning Policy Wales \(PPW\) sets out the land use planning policies of the Welsh Government](#)

range of national indicators. Following its review, the Council's report recommended that a planning function improvement plan be prepared to address longstanding weaknesses in the planning service. The improvement plan also sought to address the recommendations in the 2019 Audit Wales national report.

- 6 We undertook this review during the period September 2022 to January 2023. Our methodology included:
- a review of key documents;
  - analysis of performance data; and
  - interviews with officers and Elected Members at the Council, and with representatives from [Planning & Environment Decisions Wales](#) and the [Royal Town Planning Institute Cymru](#).

## What we found

- 7 Our review sought to answer the question: **Does the Council have an effective and resilient development control and planning enforcement service?**
- 8 Overall, we found that: **The Council has strengthened the capacity and culture of its planning service but needs greater resilience to overcome future uncertainty.** This report is structured around our supporting conclusions:
- the Council has well-established corporate arrangements to monitor and learn from past experiences, and has invested in the planning service to address poor performance.
  - the Council has improved capacity and morale within the service, but needs to develop and retain its workforce in order to maintain this progress.
  - significant challenges risk undermining the service's resilience in the medium and long term.

## Recommendations

### Exhibit 1: recommendations

The table below sets out the recommendations that we have identified following this review.

Recommendations
<p><b>Service improvement</b></p> <p><b>R1:</b> Part 1 of this report highlights mixed progress in implementing key actions within the service improvement plan aimed at building resilience. We recommend that:</p> <ul style="list-style-type: none"><li>the Council evaluates the service improvement plan to identify key outstanding areas, ensuring that opportunities to improve performance, resilience and reputation are actioned and embedded in future ways of working.</li></ul> <p>This will also enable the Council to address the opportunities for improvement highlighted in this report, helping to improve service resilience.</p>
<p><b>Risk monitoring</b></p> <p><b>R2:</b> Part 3 of this report highlights opportunities to improve how the Council identifies and mitigates service specific risks. We recommend that:</p> <ul style="list-style-type: none"><li>the Council strengthens its horizon scanning arrangements, ensuring it recognises the short, medium and long term challenges facing the planning service in its risk register.</li></ul> <p>This will improve the Council's ability to mitigate and respond to risks.</p>
<p><b>Resource planning</b></p> <p><b>R3:</b> In Part 2 of this report we highlight opportunities to improve how the Council resources demand-led services. We recommend that:</p> <ul style="list-style-type: none"><li>the Council uses data on current and future demand and funding to inform decisions on resources allocated to the development control and planning enforcement services.</li></ul> <p>This will improve how the Council considers risks in resourcing services.</p>
<p><b>Building skills and experience</b></p> <p><b>R4:</b> Parts 1 and 2 of this report references the Council's reliance on a small number of specialist roles in key areas within the planning service. We recommend that:</p>

## Recommendations

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- the Council undertakes a skills audit to identify key specialisms required within the service, to inform its workforce management strategy, including ongoing training and development provision. Where these skills currently rest with a small group of staff, the Council should consider exposing others to build their experience.

This will strengthen the Council's business continuity arrangements and improve resilience.

# Detailed report

## The Council has strengthened the capacity of its planning service but needs greater resilience to overcome future uncertainty

### The Council has addressed poor performance

- 9 The Council has well-established corporate arrangements to monitor and learn from past experiences and has invested in the planning service to address poor performance.
- 10 The 25 local planning authorities in Wales<sup>4</sup> report their performance against 19 national measures. These capture performance relating to five broad areas: policy making, the efficiency of decision making, quality of decisions, engagement and enforcement. Taken together, the measures provide a picture of performance across Wales and enable comparison between authorities.<sup>5</sup>
- 11 The most recently published comparative data shows that, in 2018-19, the Council was performing worse than most other local planning authorities, on many of the key performance indicators. Benchmarking analysis summarised in **Exhibit 2** shows the Council's ranking in relation to the other 24 local planning authorities in 2018-19.

#### Exhibit 2: the Council's performance against key national indicators in 2018-19

The table below sets out the Council's 2018-19 position benchmarked against the other local planning authorities in Wales, for seven key indicators. For the purpose of this analysis, first position reflects the best-performing and 25<sup>th</sup> position is the worst-performing.

Key performance indicator	Anglesey's ranking /25 in 2018-19
Percentage of all applications determined within time periods required	20 <sup>th</sup>
Percentage of appeals dismissed	5 <sup>th</sup>
Percentage of enforcement cases investigated within 84 days	25 <sup>th</sup>
Average time taken to determine all applications in days	19 <sup>th</sup>

<sup>4</sup> The 25 local planning authorities in Wales include the 22 unitary authorities and the three National Park authorities.

<sup>5</sup> [Planning Performance Framework, Welsh Government](#)



Key performance indicator	Anglesey's ranking /25 in 2018-19
Percentage of Member made decisions against officer advice	19 <sup>th</sup>
Percentage of applications determined under delegated powers	22 <sup>nd</sup>
Percentage of "major" applications determined within time periods required	17 <sup>th</sup>

**Source:** Audit Wales analysis of Welsh Government performance data<sup>6</sup>

- 12 At present, local planning authorities' ability to benchmark their performance is limited. Welsh Government is yet to restart publishing service specific performance data since it stopped during the pandemic, with the most recent publicly-available comparative data being for 2018-19. Whilst this limits comparison with other authorities, senior officers and Elected Members in Anglesey emphasise the value of comparing against historic local data and regularly draw on such information to monitor performance.
- 13 The Council has good systems in place to identify services under pressure. Through its corporate planning and performance management framework, the Council recognised the need to better understand and address the issues surrounding the planning service's poor performance. The Council's corporate scorecard includes three of the 19 national planning performance indicators and is reviewed quarterly by the Executive<sup>7</sup>.
- 14 The Council took decisive action to address the planning service's poor performance. Having identified that the service was under pressure, in 2019 the Council undertook a detailed review of the planning function. The review highlighted issues around capacity, morale, systems and monitoring processes. The internal review resulted in a service improvement plan being developed.
- 15 The Council's progress in implementing the improvement plan has been mixed. The majority of the 24 specific actions contained within the plan were scheduled to take place before the end of the 2019-20 financial year. Despite this, the Council made limited progress on many of these actions prior to lockdown restrictions being announced in late March 2020. Thereafter, the shift to remote working and the unprecedented pressures on the Council to respond to the pandemic and support communities took priority, curtailing any significant progress in implementing the improvement plan.
- 16 However, some key developments meant the planning service was well-placed to adapt to remote working during the pandemic. In 2018-19 the Council had made improvements to the planning service's workflow systems, which helped teams to

<sup>6</sup> [Planning services performance reports, Welsh Government](#)

<sup>7</sup> [Committee details: The Executive, Isle of Anglesey County Council](#)

better manage officers' caseloads. The online systems represent a significant improvement in how the planning teams manage their work enabling officers to access and progress their caseloads remotely, which proved vital during the pandemic.

- 17 The planning service continues to be well supported by the Council's ICT Division and officers consistently highlighted their importance in developing and facilitating key systems. The current dashboards and workflow systems have become vital to the running of the planning service, contributing to a good level of short-term resilience with regard to business continuity. However, we found that the expertise required to develop and maintain these systems rests with just one or two key officers. The Council could do more to upskill others in this area to further improve resilience.

## **The Council has improved capacity and morale within the service, but needs to develop and retain its workforce in order to maintain this progress**

### **Development control**

- 18 The Council has stabilised the service following its internal review. Following considerable turnover, by autumn 2022 both the development control and planning enforcement teams had successfully recruited to all posts for the first time in over two years. The Council invested the £75,000 allocated to fund the delivery of the improvement plan by creating two year fixed-term 'Planning Officer' roles in its development control team. The Council has also invested in a Planning Trainee role.
- 19 Filling vacant posts and additional capacity has led to officers feeling significantly less pressurised and better able to deliver against a more manageable workload. This is helping teams to focus on processing applications more efficiently and on making better quality decisions. The increase in capacity is helping the Council to make progress against some, but not all the strategic improvement areas identified in the service improvement plan.
- 20 However, through these personnel changes, many experienced officers have left the service. The key challenge now facing the Council is retaining staff and focusing on developing officers' skills and experience.
- 21 The new Planning Officer roles are a 'stepping stone' between the Planning Assistant and Senior Planning Officer roles and provide career progression opportunities for staff. Staff retention and career progression are key challenges facing the profession as a whole, as highlighted in our 2019 national report.<sup>8</sup> Senior

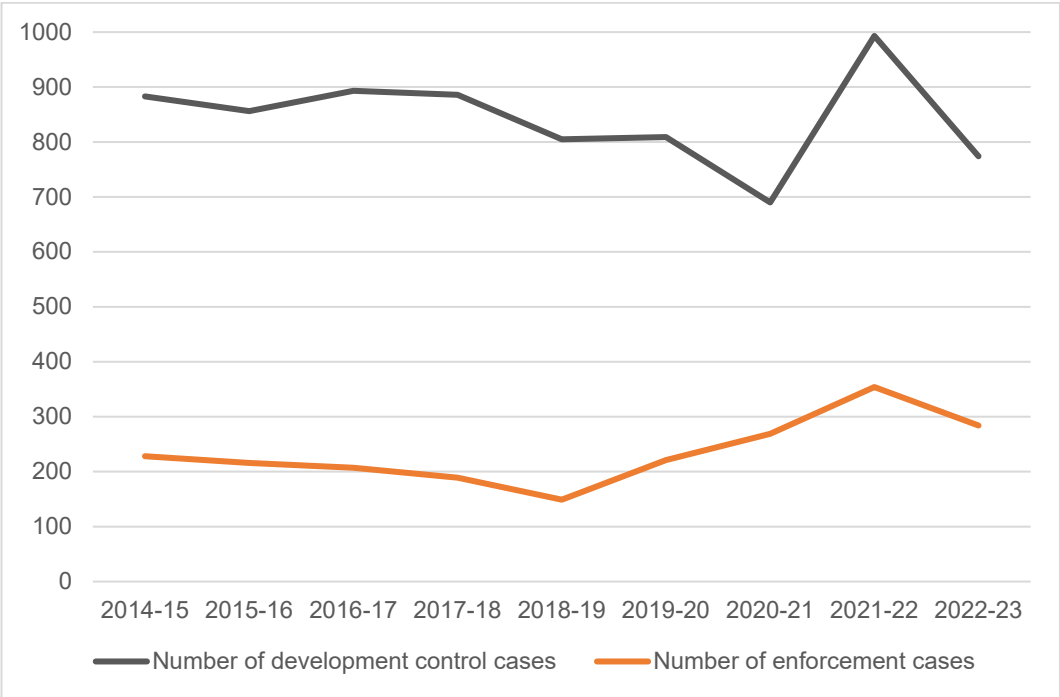
<sup>8</sup> [The effectiveness of local planning authorities in Wales, Auditor General for Wales, 2019](#)

officers are confident that the investment in these new posts will result in a step change in service performance. However, the Council will need to consider current and future demand, and demonstrate the impact of this temporary restructure to justify any ongoing investment.

- 22 Officers across the development control and enforcement teams experienced significant workload pressures during the pandemic. This was due to a significant spike in demand on the planning service, coupled with the fact that the service was carrying several vacant posts at times. Some officers reported having up to 60-70 applications in their caseloads at times – more than double their usual caseload. **Exhibit 3** shows the number of planning applications and enforcement complaints received since 2014-15.

**Exhibit 3: Demand on the Council’s development control and enforcement teams between 2014-15 and 2022-23**

This graph shows the number of development control applications and enforcement complaints the Council has received since 2014-15.



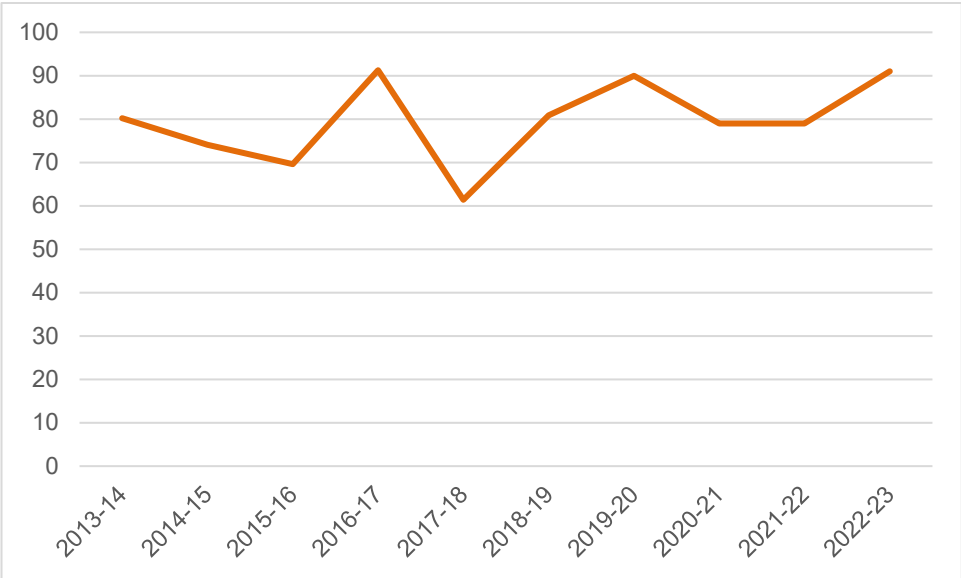
**Source:** [Planning services performance reports, Welsh Government](#) (up to 2018-19) and Council data (post 2018-19)

- 23 In the context of increasing demand, performance against key efficiency metrics, such as the proportion of all planning applications determined within the required timescales, remained stubbornly stable between 2020-21 and 2021-22. However,

with a decrease in demand and a stabilising service, **Exhibit 4** shows that performance in 2022-23 has improved.

**Exhibit 4: the percentage of all planning applications determined within time periods required, between 2013-14 and 2022-23**

This graph shows the proportion of all planning applications determined within the time periods required. The Welsh Government considers performance to be 'good' if 80% or more of applications are determined within the time periods required. The Council has gone further by establishing a local target of 90% or more being determined within time periods required. It reached this performance in 2022-23.



**Source:** Planning services performance reports, Welsh Government (up to 2018-19) and Council data (post 2018-19)

- 24 There is a renewed focus on efficiency and improving performance in the planning service. This culture is driven by managers within the service who are supporting officers to better manage their caseloads and process applications in a timely manner. Examples of this include:
- clear communication with local planning agents to request that applications are submitted with all necessary information, to ensure they can be processed as efficiently as possible by the Council.
  - a greater focus on securing 'extensions of time'<sup>9</sup> for relevant applications.

<sup>9</sup> When additional information is required to process an application, the 'clock' measuring the number of days taken to process applications can be paused to reflect the time taken

- clear quality assurance and approval steps for all applications, supported by well-embedded workflows, facilitated by the modernisation and improvements to ICT systems. This includes advice and support for planning assistants, planning officers and senior planning officers when processing applications.
  - embedding a learning culture – teams have weekly case conferences to discuss applications jointly and inform key decisions, helping officers to learn ‘on the job’. Officers also have the opportunity to work on more complex and sometimes major applications as part of their development.
- 25 The Council has made significant progress in improving morale and developing a ‘one team’ ethos. For example, the development control team is structured in two sub-teams, reflecting geographic areas. In previous years these sub-teams tended to operate in silos with little sharing of knowledge and capacity between the two. In contrast, although applications are still processed by the sub-teams along the same geographical boundaries, officers consistently highlighted how a one team ethos is being embedded and is helping to create greater resilience – for example, with officers sharing caseload burdens and supporting each other’s development. There is also support and a recognition of the strategic importance of planning at a corporate leadership level.
- 26 The Council is managing demand on the service. It has recently developed an online planning portal to reduce demand on officers’ time by providing easier access to information to citizens about planning applications. Although it was one of the last local planning authorities in Wales to do this<sup>10</sup>, the launch of [Map Môn](#) now enables applicants and citizens to view planning and building control information for their areas. Officers and Members highlighted the positive impact of this, both in terms of freeing up officers’ time from having to respond to queries and making more information openly accessible to the public. The Council is also managing demand by prioritising pre-application advice to potential applicants. This advice is focused on improving the quality of applications that the Council subsequently receives, enabling quicker and more efficient processing.
- 27 Inevitably, servicing the [Planning and Orders Committee](#) (the Committee) can impact on the timeliness of processing applications. The Council’s scheme of delegation sets out the basis for the types of applications that are determined by officers under delegated powers. Applications considered by the Committee require more work by officers – for example, drafting reports setting out the application background and proposed decision. In Anglesey, the proportion of planning applications determined by officers under delegated powers has been

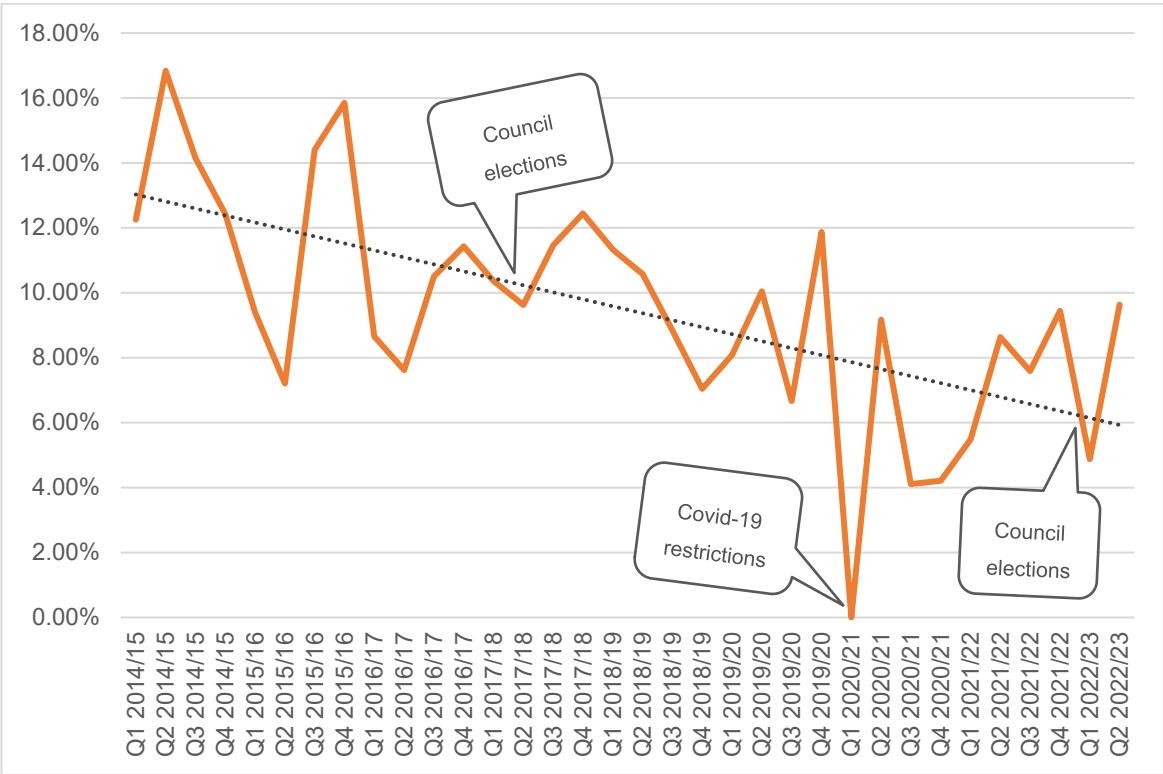
by external parties to respond to these requests. This has to be agreed by all parties and was not always being secured in previous years.

<sup>10</sup> We [reported in 2019](#) that the Council was one of only two local planning authorities in Wales not to provide online information on planning applications at the time.

broadly around 90% for the last seven years.<sup>11</sup> **Exhibit 5** shows the quarterly variations over time, and how different factors may influence the number of applications considered by the Committee. Regular and on-going training to Elected Members is important to ensure a consistent understanding of their role in relation to planning, and to help ensure that the Committee is focused on the most appropriate types of applications – i.e. large scale, complex or contentious.

**Exhibit 5: the proportion of planning applications determined by the Council’s Planning and Order Committee, by quarter since 2014-15**

This graph shows how different factors, such as turnover in membership of the Committee, may impact on the number of applications being it considers. No applications were considered by the Committee during the first quarter of 2020-21 due to the pandemic.



Source: Audit Wales analysis of the Council’s data

**Planning enforcement**

28 The Council has sought to increase capacity and forge a positive ‘one team’ ethos in its planning service, however these improvements are mostly limited to the

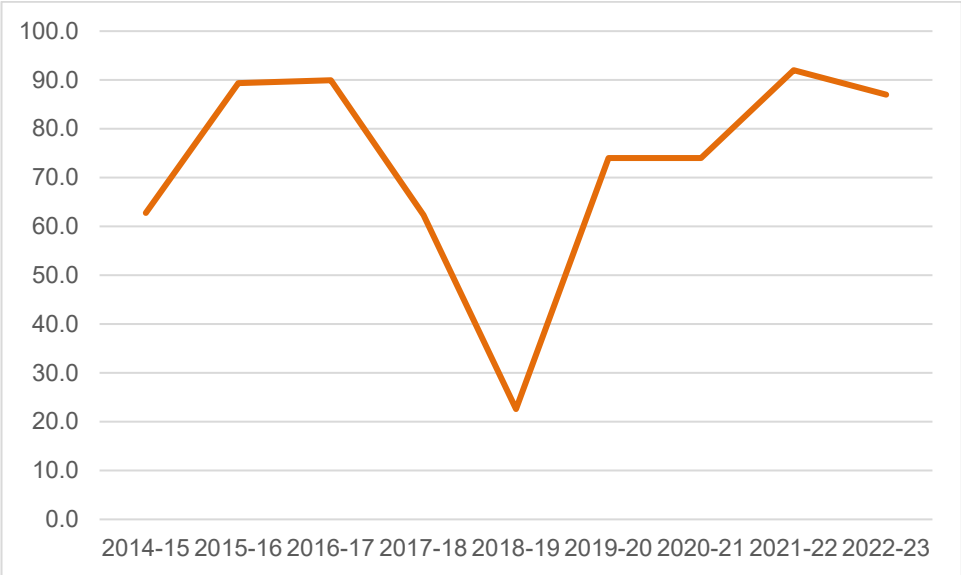
<sup>11</sup> [Planning services performance reports, Welsh Government](#)

development control team. The Council’s performance on enforcement activity has been particularly poor in previous years. For example, **Exhibit 2** shows that the Council was the worst performing local planning authority in Wales in 2018-19 when it came to the efficiency of dealing with enforcement cases, and this was by a considerable margin.<sup>12</sup> Vacant posts and periods of sickness absence had a significant impact on the small team’s ability to deal with caseload pressures.

29 However, with recent recruitments and the team being up to full capacity, the enforcement team has been able to take a Task and Finish approach to prioritise a backlog of complex cases, resulting in a significant improvement in performance. This improvement is also against a backdrop of an increase in demand, as shown in **Exhibit 3**. **Exhibit 6** shows the performance data reflecting the Council’s efficiency in dealing with enforcement cases within the time periods required.

**Exhibit 6: Percentage of enforcement cases investigated within 84 days, since 2013-14**

This graph shows a significant improvement in performance from 2018-19, when the Council was the worst performing local planning authority in Wales in relation to this indicator. Welsh Government considers anything above 80% to be ‘good’ enforcement performance.



**Source:** [Planning services performance reports, Welsh Government](#) (up to 2018-19) and Council data (post 2018-19)

<sup>12</sup> [All Wales Planning Annual Performance Report 2018-19, Welsh Government, December 2019](#)

- 30 Despite improvements in performance, the enforcement team lacks resilience. Planning enforcement sits relatively detached from the development control team and the work typically requires a slightly different skillset, reflecting the more nuanced and sometimes confrontational nature of the work. Despite this, forging closer links with the development control team and exposing wider officers to enforcement work to build their experience, would help to improve the resilience of the enforcement team.
- 31 Three officers undertake planning enforcement work at the Council, irrespective of demand. Whilst performance has improved, workload pressures can have an impact on staff. This challenge is not unique to Anglesey – research published by the Royal Town Planning Institute (RTPI) and highlights that unmanageable workloads and insufficient staff can also lead to an inability to meet public demand.<sup>13</sup> Further research by RTPI Cymru identified almost three quarters of local planning authority planners feel overstretched several or more times a week.<sup>14</sup> Externally, unmet enforcement demand risks undermining the integrity of the planning system.

## Significant challenges risk undermining the service's resilience in the medium and long term

- 32 Whilst the Council has improved capacity in its planning service, there are major challenges on the horizon which threaten to destabilise the function. Some of these key risks are listed below.
- the discontinuation of the joint policy unit with Gwynedd Council, and the consequent need to produce a new local development plan (LDP) for Anglesey. The [current joint local development plan](#) is set to expire on 31 December 2026<sup>15</sup> and producing a new LDP is a lengthy process that takes a minimum of three and a half years. The Council therefore faces a challenging schedule, and at the time of our fieldwork it was yet to establish a policy unit to undertake this work. Officers and Members were confident that a new team would be established swiftly and a new LDP would be produced and adopted in this short time frame. This is despite the Council's risk registers highlighting a number of vacant posts, and widespread difficulties in recruitment and retention across the directorate. The potential impact of this on development control and enforcement is significant. The Planning (Wales) Act 2015 aimed to strengthen the plan-led approach and

<sup>13</sup> [Planning Enforcement Resourcing, RTPI, November 2022](#)

<sup>14</sup> [The Big Conversation – Understanding the well-being of planners in Wales, RTPI Cymru, January 2023](#)

<sup>15</sup> [Local Development Plan \(LDP\) end dates: letter to local authorities, Minister for Housing and Local Government, Welsh Government, September 2020](#)



clearly, without a fully adopted plan in place, the basis for making good planning decisions is wholly undermined.

- Anglesey has a track record of aspiring to attract the interest of large, national and international-scale developments which have the potential to transform the economic prospects of the island and the wider North Wales region. This focus continues as a theme within the new Council Plan 2023-2028. Large projects of this nature have the potential to impact on development control, should recruitment pressures require officers' workloads to be reprioritised in order to ensure the best chance of securing these developments. The Council aims to secure planning performance agreements<sup>16</sup> to help fund the additional workload burdens associated with such developments, but it can be difficult to recruit accordingly to backfill vacant roles.
- one example of an international scale development secured recently is the Freeport Status for Anglesey.<sup>17</sup> Freeports remove barriers to trade and provide easements that simplify how businesses can operate. Putting in place the requisite town and country planning arrangements, through Local Development Orders is a priority for the Council and will be a time and resource intensive process.
- planning is an income generating service.<sup>18</sup> As such, a reduction in demand for planning can impact on the Council financially. The planning service currently receives 15% of the income it generates. This income may reduce if the current economic climate results in a reduction in demand. This presents a risk to development control in particular, when much of the improvements in capacity and morale in recent years have been a result of the short term investments in new fixed term roles.
- changes to planning legislation and policy<sup>19</sup> to address issues around second homes may result in an increase in demand on the enforcement team, which is already at capacity, if not overstretched.

33 There is scope for the Council to improve its understanding of the significance of these challenges and their potential impact on the planning service. For example, although the Council shows an awareness of these key developments and the opportunities they present, its risk registers did not reflect an analysis of the above challenges at the time of our review. The Council's horizon scanning arrangements

<sup>16</sup> The main purpose of a PPA is to provide a framework, agreed between the LPA and the applicant or potential applicant, about the process for considering a major development proposal.

<sup>17</sup> [Press release: Successful Freeport bid offers North Wales economic boost, Isle of Anglesey County Council website, March 2023](#)

<sup>18</sup> Planning fees are set nationally by Welsh Government.

<sup>19</sup> [Written Statement: Changes to planning legislation and policy for second homes and short-term lets, Minister for Climate Change, September 2022](#)

could be improved to help it identify service-specific risks and to plan accordingly by establishing mitigating actions.





Audit Wales

1 Capital Quarter

Cardiff CF10 4BZ

Tel: 029 2032 0500

Fax: 029 2032 0600

Textphone: 029 2032 0660

E-mail: [info@audit.wales](mailto:info@audit.wales)

Website: [www.audit.wales](http://www.audit.wales)

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